

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-3, 7-13, 15-29 are presently active in this case. The present Amendment amends Claims 1 and 26 and cancels Claims 5 and 14 without prejudice.

In the outstanding Office Action, Claim 6 was rejected under 35 U.S.C. §112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 1-2, 5-11 and 21-29 were rejected under 35 U.S.C. §102(b) as anticipated by Kamon (U.S. Patent No. 5,920,646). Claim 3 was rejected under 35 U.S.C. §103(a) as unpatentable over Kamon in view of Hong (U.S. Patent No. 5,457,546). Claims 12-20 were rejected under 35 U.S.C. §103(a) as unpatentable over Kamon in view of Accad (U.S. Patent No. 5,553,200).

In response to the rejection under 35 U.S.C. §112, second paragraph, that rejection is moot as Claim 6 has been cancelled.

In response to the rejection of independent Claims 1 and 26 under 35 U.S.C. §102(b) as anticipated by Kamon and the rejection of Claims 12-20 under 35 U.S.C. §103(a) as unpatentable over Kamon in view of Accad, Applicant respectfully traverses the rejections.

Independent Claims 1 and 26 are amended to recite all the features of dependent Claims 5 and 14 and to further recite “wherein the color image data includes a set of data for each of a plurality of colors, and a threshold value with respect to black is set lower than a threshold values of other colors.” These features find non-limiting support in Applicant’s Specification at page 23, lines 8-15. Consequently, Claims 5 and 14 are canceled so that the rejections are now moot. Applicant reserves the right to present Claims 5 and 14, or similar claims, in a continuation application and to address any traversed issues in such application.

Applicant respectfully submits that the applied references Kamon, Accad and Hong do neither teach nor suggest the Applicant's claimed binarization of color image data that includes a set of data for each of a plurality of colors, and such that a threshold value with respect to black is set lower than a threshold values of other colors, as newly claimed in the independent claims. Kamon merely recites a binary gradation unit 192 to convert 10-bit data into binary image data.¹ Further, Accad is concerned with bit-rate reduction and reconstruction of image data using dither arrays² and Hong is concerned with enhancing video signal transient edges to obtain a clear image.³ Accad and Hong are entirely silent on the binarization of images. Accordingly, even if we assume that the combination of teachings in Kamon and Hong or Kamon and Accad is proper, these references do not teach or suggest all the features of Applicant's independent claims. Specifically, the combinations fail to teach or suggest the claimed binarization of color image data that includes a set of data for each of a plurality of colors, and such that a threshold value with respect to black is set lower than a threshold values of other colors. Accordingly, Applicant respectfully traverses, and requests reconsideration of, the rejections based on these patents.⁴

Consequently, in view of the present Amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-3, 7-13, 15-29 is earnestly solicited.

¹ See Kamon from at column 10, lines 56-65 and in corresponding Figure 3.

² See Accad in the Abstract.

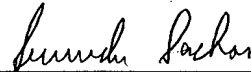
³ See Hong at column 2, lines 31-42.

⁴ See MPEP 2142 stating, as one of the three "basic criteria [that] must be met" in order to establish a *prima facie* case of obviousness, that "the prior art reference (or references when combined) must teach or suggest all the claim limitations," (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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